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Tilo Reinhardt

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KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

FABER, DAVID

ART UNIT

PAPER NUMBER

2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/28/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/789,721

Applicant(s)

REINHARDT ET AL.

Examiner

David Faber

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31-44 is/are rejected.
- 7) ☒ Claim(s) 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This office action is in response to the application filed on 27 February 2004.

This action is made Non-Final.

2. Claims 1-44 are pending. Claims 1, 22, 43, and 44 are independent claims.

Drawings

3. The drawings received on 27 February 2004 have been accepted by the Examiner:

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 3, 11-12, 24, and 36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

6. As per dependent claims 3 and 24, Claims 3 and 24 recite, "the core-data and metadata arranged as a bundle" within the claim limitations. The Examiner is unable to find the disclosure of the element or the term "bundle" within the specification describing the core-data and the metadata arranged as a bundle.

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7. As per dependent claims 11 and 36, Claims 11 and 36 recites the limitation "transmit the data...indirectly as an e-mail attachment if the data exceeds the predetermined threshold amount." The Examiner is unable to find the disclosure of "transmit the data...indirectly as an e-mail attachment if the data exceeds the predetermined threshold amount" within the specification.

8. As per dependent claim 12, Claim 12 recites "a database configured to store a first hierarchical data file of a first hierarchical data file type and a second hierarchical data file of a second hierarchical data file type..." within the claim limitations. The Examiner is unable to find the disclosure of the claim limitation especially the use of a "database" within the specification used to store a first and second hierarchical data file.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 3, 10, 11, 15, 24, 31, 36, and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. As per dependent claims 3 and 24, Claims 3 and 24 recites a "the core-data and metadata arranged as a bundle" within the claim limitations. It is unclear to the Examiner what the Applicant means by the core-data and the metadata arranged as a bundle since the claims fail to disclose any further information regarding the term bundle.

12. Claim 9 recites the term "can" within the claim limitations as in "user can enter

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change-mode for a hierarchical data file” and “user can enter a display-mode....” The use of “can” makes the claims vague and indefinite since just because the user can enter change-mode for a hierarchical data file does not necessary means the user will enter change-mode for a hierarchical data file, if at all. Therefore, Claims 9 is rejected under 35 USC 112, second paragraph, for being vague and indefinite.

13. Claims 10 and 31 recite the term “can” within the claim limitations as in “user can modify the data of the hierarchical data file”. The use of “can” makes the claims vague and indefinite since just because the user can modify the data does not necessary means the user will modify the data, if at all. Therefore, Claims 10 and 31 are rejected under 35 USC 112, second paragraph, for being vague and indefinite.

14. As per dependent claims 11 and 36, Claims 11 and 36 recite the limitation, “transmit the data in the user-modifiable document format directly...and indirectly....” It is unclear to the Examiner what the Applicant means by transmitting the directly or indirectly within the claim. The Examiner is unsure how the data is even transmitted directly when the respective condition is met.

15. As per dependent claim 15, Claim 15 recites the limitation “perform a direct conversion... and to perform a background conversion....” It is unclear to the Examiner what the Applicant means by performing a direct conversion or a background conversion.

16. Claim 43 is rejected under 35 U.S.C. 112, second paragraph, since it appears to be a hybrid claim. The preamble claims an article of manufacture (i.e. “computer-readable medium”), but the body of the claim refers to the method steps (“converting”,

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etc). This renders the claim indefinite, since it is unclear what the claimed subject matter is.

Claim Rejections - 35 USC § 101

17. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

18. Claims 1-21 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

For your reference, below is a section from MPEP 2105 :

(a) Functional Descriptive Material: "Data Structures" Representing Descriptive Material Per Se or Computer Programs Representing Computer Listings Per Se
Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. Accordingly, it is important to distinguish claims that define descriptive material per se from claims that define statutory inventions.

Computer programs are often recited as part of a claim. Office personnel should determine whether the computer program is being claimed as part of an otherwise statutory manufacture or machine. In such a case, the claim remains statutory irrespective of the fact that a computer program is included in the claim. The same result occurs when a computer program is used in a computerized process where the computer executes the instructions set forth in the computer program. Only when the claimed invention taken as

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a whole is directed to a mere program listing, i.e., to only its description or expression, is it descriptive material per se and hence nonstatutory.

Since a computer program is merely a set of instructions capable of being executed by a computer, the computer program itself is not a process and Office personnel should treat a claim for a computer program, without the computer-readable medium needed to realize the computer program's functionality, as nonstatutory functional descriptive material. When a computer program is claimed in a process where the computer is executing the computer program's instructions, Office personnel should treat the claim as a process claim. See paragraph IV.B.2(b), below. When a computer program is recited in conjunction with a physical structure, such as a computer memory, Office personnel should treat the claim as a product claim.

19. Claims 1-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims appear to be claiming "software systems" i.e. systems without hardware indication, which is a computer program per se. Since the claims disclose computer program per se that is not embodied on a computer readable medium, they appear non-statutory.

Claim Rejections - 35 USC § 102

20. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

21. Claims 1-7, 13-14, 17, 20-21, 22-28, 33-34, 38, and 41-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Collie et al (US Paten 7,017,112, filed 2/28/2003)

As per independent claim 1, Collie et al discloses a system comprising a generator configured to convert data between a first format and one of a plurality of

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user-modifiable document formats, wherein, when the data is in the first format, the data is arranged as an hierarchical document, and wherein, when the data is in the user-modifiable document format, the data is arranged as a plurality of data elements, the arrangement configured to provide a document context. (Col 2, lines 62-63; Col 4, lines 29-48; Col 9, lines 44-60: Data from an XML document is converted (imported) into a spreadsheet document. The XML data file/document is hierarchical (Col 11, 3-6) When the data is converted into a spreadsheet, the data (plurality of elements) is arranged into the correct appropriate cells and columns.)

As per dependent claim 2, Claim 2 recites similar limitations as in Claim 1 and similarly rejected under rationale. Furthermore, Collie et al discloses a system comprising: a customizing table configured to store a plurality of data sets, (FIG 3, A spreadsheet is table consisting of rows and columns that is customizable by the user, that able to store a plurality of data sets (i.e. set 355-365, and set 370) each data set unique to a particular one of a plurality of hierarchical data file types,(Col 4, line 35-36; XML data is able to be imported) wherein the generator includes a first generator and a second generator, and wherein the conversion includes a first conversion and a second conversion, wherein, in the first conversion, the first generator is configured to convert, according to one of the data sets, the data between the first format and a second format, wherein, in the second conversion, the second generator is configured to convert the data between the second format and the user-modifiable document format, the data set not required for the second conversion, and wherein, when the data is in the second format, the data is arranged as the plurality of data elements, the

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arrangement configured to provide the document context. (Collie et al discloses when XML data is imported to be converted into a spreadsheet format, the XML data is converted into a DOM format to located XPATH used to determine the location, data types and user data creating a XPATH collection. (Col 10, lines 23-27; 32-40) After being parsed into a DOM format, the data is passed into a flattening module that is used to determine the layout and populate the data into the spreadsheet. (Col 10, lines 27-32; 49-67)

As per dependent claim 3, Collie et al discloses the data includes core-data and metadata, the metadata configured to describe the core-data, the core-data and the metadata arranged as a bundle when the data is in the second format, the core- data and the metadata separately arranged when the data is in the user-modifiable document format. (Col 2, lines 50-53, 61-66; Col 9, line 61 – Col 10, line 67: XML Schema file is associated with the XML document that defines XML data types and data type definitions of the file. An XML data map is identified that corresponds to the XML data by matching the XML data with the XML schema file, or one may say bundling the information. The XML data mapping is parsed into a DOM. Then the metadata and cored-data are arranged separately as the metadata is applied to the cells to create the layout of the cells then the cells are populated with the actual XML data after the metadata is arranged.)

As per dependent claim 4, Collie et al discloses the metadata is configured to be user understandable. (Since the file is written in XML, then the metadata is written in a language that is user understandable.)

As per dependent claim 5, Collie et al discloses the metadata includes a modifiability indicator that indicates whether the core-data described by the metadata is modifiable by a user. (Column 13, lines 47-56: Discloses the user edited the main data and that indicated with a response after scanned by the XML schema file)

As per dependent claim 6, Collie et al discloses the metadata includes a modifiability indicator that indicates whether the core-data described by the metadata is modifiable by a user. (Column 13, lines 47-56: Returns an error when the data was modified by the user)

As per dependent claim 7, Collie et al discloses wherein, when the data is in the user-modifiable document format, the metadata is configured to be arranged in a first group of data- cells and the core-data is configured to be arranged in a second group of data- cells. (Col 10, lines 52-66: metadata is applied to the cells to create the layout of the cells. Col 10, lines 66-67: the cells are populated with the actual XML data)

As per dependent claim 13, Collie et al discloses when the first generator converts the data from the second format to the first format, the first generator is configured to determine whether the data includes a data modification, and to convert the data by an arrangement in a hierarchical data file of only a modified portion of the data. (Col 3, lines 23-41; Col. 11, line 50 – Col 16, line 3: Discloses user data is located,

and metadata is mapped to the added user data, thus indicating a data modification and is converted into a hierarchical arrangement in a data file.)

As per dependent claim 14, Collie et al discloses the data includes metadata that includes an upload-indicator, the first generator configured to determine whether the data includes the data modification based on the upload-indicator. (Col 13, lines 47-56: Discloses the indication of a data modification by the user identified by the metadata. Since it is able determine that data has been modified, an upload indicator is present)

As per dependent claim 17, Collie et al discloses the data is in the user-modifiable document format, the data is tabularly formatted. (Col 1, lines 7-12: Since a spreadsheet is a table-based document that consists of table and rows, then it tabular formatted.)

As per dependent claim 20, Collie et al discloses when the data is in the user-modifiable document format, a user can at least one of delete, add to, and change data elements from the plurality of data elements. (Col. 2, lines 29-31)

As per dependent claim 21, Collie et al discloses the user can add at least one dynamic data element to the plurality of data elements when the data in the user-modifiable document format. (According to paragraph 019 of the specification, Dynamic data elements are user defined data elements that users may enter. Therefore, Collie et al discloses the ability to user enter new data, i.e. a new column of data to spreadsheet grid (cells) (Col 4, lines 53-55)

As per independent claim 22, Claim 22 recites similar limitations as in Claim 1 and is similarly rejected under rationale.

As per dependent claim 23, Claim 23 recites similar limitations as in Claim 2 and is similarly rejected under rationale.

As per dependent claim 24, Claim 24 recites similar limitations as in Claim 3 and is similarly rejected under rationale.

As per dependent claim 25, Claim 25 recites similar limitations as in Claim 4 and is similarly rejected under rationale.

As per dependent claim 26, Claim 26 recites similar limitations as in Claim 5 and is similarly rejected under rationale.

As per dependent claim 27, Claim 27 recites similar limitations as in Claim 6 and is similarly rejected under rationale.

As per dependent claim 28, Claim 28 recites similar limitations as in Claim 7 and is similarly rejected under rationale.

As per dependent claim 33, Claim 33 recites similar limitations as in Claim 13 and is similarly rejected under rationale.

As per dependent claim 34, Claim 34 recites similar limitations as in Claim 14 and is similarly rejected under rationale.

As per dependent claim 38, Claim 38 recites similar limitations as in Claim 17 and is similarly rejected under rationale.

As per dependent claim 41, Claim 41 recites similar limitations as in Claim 20 and is similarly rejected under rationale.

As per dependent claim 42, Claim 42 recites similar limitations as in Claim 21 and is similarly rejected under rationale.

As per dependent claim 43, Claim 43 recites similar limitations as in Claim 1 and is similarly rejected under rationale.

As per dependent claim 44, Claim 44 recites similar limitations as in Claims 1 and 2 combined and is similarly rejected under rationale.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claim 12 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collie et al (US Patent 7,017,112, filed 2/28/2003)

As per dependent claim 12, Collie et al discloses storage mediums used to store data (Col 5, lines 18-40); however, fails to specifically disclose a database configured to store a first hierarchical data file of a first hierarchical data file type and a second hierarchical data file of a second hierarchical data file type, the data set of the first hierarchical data file type configured to vary from the data set of the second hierarchical data file type. It was well-known in the art at the time of Applicant's invention that a database is stored on a hard disk drive capable of storing multiple different types of files, such as two different "XML documents" that vary from each other.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modified Collie et al's invention to include a database capable of storing multiple different files since it provides the ability for user(s) to be able to locate and/or store files in one location for faster access and retrieval.

In addition, Collie et al fails to specifically disclose the first generator configured to base the conversion on the data set of the first hierarchical data file type when converting the data of the first hierarchical data file, and to base the conversion on the data set of the second hierarchical data file type when converting the data of the second hierarchical data file. However, Collie et al discloses converting the data of an XML document when converting the XML document from one format to a spreadsheet. It was well-known to one of ordinary skill in the art at the time of Applicant's invention if the functionality of an invention was capable of converting a first file into another format, then it would have able to perform the functionality on additional separated files (i.e. convert a second XML document into a spreadsheet) within the invention.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modified Collie et al's invention to be able to perform the invention's functionality on more than one file since it may be replicated to gain the repeated benefit of converting files from one format to another.

As per dependent claim 32, Claim 32 recites similar limitations as in Claim 12 and is similarly rejected under rationale.

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24. Claims 8, 16, 19, 29, 35, and 40 rejected under 35 U.S.C. 103(a) as being unpatentable over Collie et al (US Patent 7,017,112, filed 2/28/2003) in further in view of Young ("Microsoft Office System Inside Out: 2003 Edition", publish 10/23/2003, pp 1-15).

As per dependent claim 8, Collie et al discloses when a download-button is selected, the first generator is configured to convert the data from the first format to the second format, and the second generator is configured to convert the data from the second format to the user-modifiable document format, (Col 4, lines 35-38); and discloses the functionality of exporting a spreadsheet into a XML data file (document) (FIG 5; Col 11, line 22- Col 14, line 14) however, fails to specifically disclose when an upload-button is selected, the second generator is configured to convert the data from the user- modifiable document format to the second format, and the first generator is configured to convert the data from the second format to the first format. However, Young discloses the use of Excel wherein a user presses an export button that would convert the spreadsheet into a XML document. (Page 10, "4.")

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Collie et al's ability to export a spreadsheet into a XML document with Young's disclosure use of an export button since it would provided the benefit of the user to make it easier to export data into a document by just clicking a button.

As per dependent claim 16, Collie et al fails to specifically disclose after the conversion from the second format to the first format, a user can choose to one of save

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and discard a data modification. However, Young discloses a step by step process that has the exporting the spreadsheet into an XML document, and afterwards the user has the ability to save the spreadsheet document that includes any modifications. (pp 10-11)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Collie et al's ability to export a spreadsheet into a XML document with Young's disclosure use of saving a file since it allows the user to save the current data so the data isn't lost as one work's, or for transmitting to other users.

As per dependent claim 19, Collie et al discloses a user-modifiable format being a spreadsheet format being viewed within Excel; however, fails to specifically disclose the data is sortable in one of a generic and a customized manner. However, Young discloses the ability to sort data within Excel in either a generic (pp1-4) or a customized manner. (pp 4-6)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Collie et al's ability to import a XML document into spreadsheet document viewable in Excel with Young's disclosure ability of sorting data in Excel since it would have provided the benefit of rearranging data in columns or rows based on the user's preferences.

As per dependent claim 29, Claim 29 recites similar limitations as in Claim 8 and is similarly rejected under rationale.

As per dependent claim 35, Claim 35 recites similar limitations as in Claim 16 and is similarly rejected under rationale.

As per dependent claim 40, Claim 40 recites similar limitations as in Claim 19 and is similarly rejected under rationale.

25. Claims 11 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collie et al (US Patent 7,017,112, filed 2/28/2003) in further in view of Khanuja et al (US PGPub 20040102683, filed 4/15/2003, provisional filed on 4/16/2002)

As per dependent claim 11, Collie et al discloses the ability to transmit data of the XML document from one computer to another computer (Col 14, lines 1-14); however, fails to specifically disclose transmit the data in the user-modifiable document format directly if the data does not exceed a predetermined threshold amount, and indirectly as an e-mail attachment if the data exceeds the predetermined threshold amount. However, Khanuja et al discloses the ability to send data through an email when certain predetermined threshold amounts are exceeded. (Paragraph 0004, 0010)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Collie et al's method converting documents with Khanuja et al's method of sending data in emails when exceeding threshold amounts since it would have provided the ability to set options in certain situations when threshold amounts are exceeded, i.e. sending an email automatically.

As per dependent claim 36, Claim 36 recites similar limitations as in Claim 11 and is similarly rejected under rationale.

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26. Claims 15 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collie et al (US Patent 7,017,112, filed 2/28/2003) in further in view of Young ("Microsoft Office System Inside Out: 2003 Edition", publish 10/23/2003, pp) in further in view of Khanuja et al (US PGPub 20040102683, filed 4/15/2003, provisional filed on 4/16/2002)

As per dependent claim 15, Claim 15 recites similar limitations as in Claims 2, 8, and 11 combined and is similarly rejected under rationale. Furthermore, Collie et al discloses a conversion (direct) from the first format to the second format. (Col 10, lines 23-40, 49-67)

As per dependent claim 37, Claim 37 recites similar limitations as in Claim 15 and is similarly rejected under rationale.

27. Claim 18 and 39 rejected under 35 U.S.C. 103(a) as being unpatentable over Collie et al (US Patent 7,017,112, filed 2/28/2003) in further in view of Korpela ("Tab Separated Values (TSV): a format for tabular data exchange", published as of 10/20/2001, pp 1-6).

As per dependent claim 18, Collie et al fails to specifically disclose the user-modifiable document format is a Tab Separated File format. However, Korpela discloses of a tab separated file format for tabular data exchange. (Page 1, 3-5)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Collie et al ability to import data into a tabular data format with Korpela's disclosure of a tab separated file format since it would have

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allowed tabular data to be exchanged between applications that use different internal data formats.

As per dependent claim 39, Claim 39 recites similar limitations as in Claim 18 and is similarly rejected under rationale.

Allowable Subject Matter

28. Claims 9-10, and 31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

29. Claim 30 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- Rothchiller et al (US Patent #7,003,722): Discloses converting a schema-based hierarchical data structure into a flat data structure (i.e. spreadsheet)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Faber
Patent Examiner
AU 2178



STEPHEN HONG
SUPERVISORY PATENT EXAMINER